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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/931,844	08/16/2001	Joerg Heilig	P5210 US	4555
24209 7590 04/18/2007 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940			EXAMINER LIN, KELVIN Y	
			ART UNIT 2142	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			04/18/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/931,844

Applicant(s)

HEILIG ET AL.

Examiner

Kelvin Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **Detailed Action**

### ***Response to Arguments***

1. Applicant's arguments, see Remarks from page 2 to 8, filed on Jan. 22, 2007 with respect to the rejection(s) of claim(s) 1-52 under 35 USC 103(a) as the combination of Whitledge in view of Krueger have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made as the combination of Holland (USPAT No. 6507867) in view of Whitledge et al., (USPN 6925595).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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2. Claims 1-5, 8-16, 19-29, 32-44, and 46-52 are rejected under 35 USC 102(e) as being anticipated by Holland et al., (USPN No. 6507867).
3. Regarding claim 1, Holland teaches a system for accessing data stored at a remote host in a computer network, comprising:
  - a proxy server having a code section including instructions for receiving a request for data from a client, and making a determination whether the requested data should be rendered before transmission to the client; (Holland, col.11, l.11-22, and l.26-30, in which the proxy server having a code section and instructions in XML as shown in Fig. 5, and proxy makes a determination about the data be rendered );
  - a processing server coupled to the proxy server and having a code section including instructions for receiving the rendering determination from the proxy server, rendering the requested data, and transmitting the rendered data to the client (Holland, col.14, l.35-38, and fig. 7 shows the rendered data has been transmitted to the client).
4. Regarding claim 2, Holland further discloses the system of claim 1, wherein the proxy server further comprises a code section including instructions for storing the requested data in an intermediate data store if it is determined that the

requested data should be rendered before transmission to the client (Holland, col.12, l.4-15, l.55-60); and the processing server further comprises a code section including instructions for retrieving data stored in the intermediate data store (Holland, col.13, l.29-32 ).

5. Regarding claim 3, Holland further discloses the system of claim 1, wherein the proxy server includes a code section including instructions for transmitting address information to the processing server, wherein the address information corresponds to the storage location of the requested data at a data server; and the processing server includes a code section containing instructions for retrieving the requested data from the data server (Holland, col.10, l.53-65).
6. Regarding claim 4, Holland further discloses the system of claim 3, wherein the proxy server further comprises a code section containing instructions for generating a link message containing address information corresponding to the requested data; and a code section containing instructions for transmitting the link message to the client (Holland, col.11, l.50-52).
7. Regarding claim 5, Holland further discloses the system of claim 4, wherein the link message further includes data type information describing the requested data (Holland, col. 11, l.45-49, the data type already embedded in the descriptor, see fig. 5, 6a).
8. Regarding claim 8, Holland further discloses the system of claim 3, wherein the client further comprises a data handler including a code section containing instructions for establishing a communication link between the client and the

processing server and for receiving the rendered data from the processing server (Holland, col. 7, l.60-67).

9. Regarding Claim 9, Holland further disclose the system of claim 1, wherein the proxy server includes a code section containing instructions for directly transmitting the requested data to the client upon the proxy server determining that the requested data do not have to be rendered before transmission to the client (Holland, col.11, l.25-34).

10. Regarding claims 10-16, claiming for computer-based method have limitations corresponding to the system claims 1-5. Therefore, claims 10-16 are rejected for the same reasons set forth in the rejection of claims 1-5.

11. Regarding method claim 19, has limitations corresponding to the system claims 8. Therefore, claim 19 is rejected for the same reasons set forth in the rejection of claim 8.

12. Regarding the method claim 20 has limitations corresponding to claim 9. Therefore, claim 20 is rejected for the same reasons set forth in the rejection of claim 9.

13. Regarding claims 21-22 have limitations corresponding to claims 1-8. Therefore, claims 21-22 are rejected for the same reasons set forth in the rejection of claims 1-8.

14. Regarding claims 23-32, claiming for computer-based method have limitations

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- corresponding to the system claims 1-8. Therefore, claims 23-32 are rejected for the same reasons set forth in the rejection of claims 1-8.
15. Regarding method claim 33 has limitations corresponding to the system claim 9. Therefore, claim 33 is rejected for the same reasons set forth in the rejection of claim 9.
16. Regarding method claim 34, has limitations corresponding to the system claim 8. Therefore, claim 34 is rejected for the same reasons set forth in the rejection of claim 8.
17. Regarding method claims 35-38, have limitations corresponding to the system claims 1-4, and 8. Therefore, claims 35-38 are rejected for the same reasons set forth in the rejection of claims 1-4, and 8.
18. Regarding claim 39, claiming for the computer program product, has limitations corresponding to computer based method claims 10, 23. Therefore, claim 39, is rejected for the same reasons set forth in the rejection of claims 10, 23.
19. Regarding claims 40-44, 46-52, claiming for the instruction of proxy server have limitations corresponding to claims computer-based method 1-5, 8-9. Therefore, claims 40-44, 46-52 are rejected for the same reasons set forth in the rejection of claims 1-5, and 8-9.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 6, 7, 17, 18, 30, 31, 45 are rejected under 35 U.S.C 103(a) as being unpatentable over Holland in view of Whitledge et al., (USPN 6925595).

21. Regarding claim 6, Holland teaches the invention except teaching the limitation of link message includes a client identifier and session identifier.

Whitledge further discloses the system of claim 4, wherein the link message further includes a client identifier and a session identifier (Whitledge, col. 19, l.40-44).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to modify Holland functions of Web page bundle with Whitledge functions of HTTP protocol with request metadata features in the request header.

The modification would have been obvious because one of ordinary skill in the art would have been motivated to have request metadata with the request header per Whitledge teaching in the scripts bundle as per Holland teaching to improve the user service.

22. Regarding claim 7, Whitledge further discloses the system of claim 3, wherein the address information of the requested data comprises a URL and the data



type information comprises a MIME type (Whitledge, col.19, l.37-48).

23. Regarding claims 17-18, claiming for method have limitations corresponding to the system claims 6-7. Therefore, claims 17-18 are rejected for the same reasons set forth in the rejection of claims 6-7.
24. Regarding claims 30-31, claiming for method have limitations corresponding to the system claims 6-7. Therefore, claims 30-31 are rejected for the same reasons set forth in the rejection of claims 6-7.
25. Regarding claim 45, claiming for proxy server has limitations corresponding to the system claims 6. Therefore, claim 45 is rejected for the same reasons set forth in the rejection of claims 6.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to application disclosure.

- Krueger, et al., (PGPUB No. 20020013812).
- Bakshi et al., (Patent No. 6311215)
- Knauerhase et al., (Patent No. 6345303)
- Kulken et al., (Patent No. 6922733)

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

4/12/07

KYL



ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER